

1
2 IN THE UNITED STATES DISTRICT COURT
3

4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
5

6 JOSE MARIO ALVAREZ, No. C 10-03150 CW (PR)
7 Plaintiff,

8 v. ORDER OF DISMISSAL WITHOUT
9 JOHN DOE, PREJUDICE
10 Defendant.

11 Plaintiff, a state prisoner, filed the present pro se prisoner
12 complaint under 42 U.S.C. § 1983. On the same day the action was
13 filed the Clerk of the Court sent a notice to Plaintiff, informing
14 him that his action could not go forward until he paid the filing
15 fee or filed a completed prisoner's in forma pauperis application.
16 The Clerk sent Plaintiff a blank in forma pauperis application and
17 told him that he must pay the fee or return the completed
18 application within thirty days or his action would be dismissed.
19 More than thirty days have passed and Plaintiff has not paid the
20 filing fee, returned the in forma pauperis application or otherwise
21 communicated with the Court.
22

23 Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The
24 Clerk of the Court shall close the file.
25

IT IS SO ORDERED.

Dated: 9/21/2010


25

26 CLAUDIA WILKEN
27 UNITED STATES DISTRICT JUDGE
28

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSE MARIO ALVAREZ,

Plaintiff,

Case Number: CV10-03150 CW

V.

SERGEANT et al.

Defendant.

CERTIFICATE OF SERVICE

7 SERGEANT et al,
8 Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

11 That on September 21, 2010, I SERVED a true and correct copy(ies) of the attached, by placing
12 said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by
depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office
delivery receptacle located in the Clerk's office.

15 Jose Mario Alvarez AC 4916
Folsom State Prison
16 P.O. Box 950
Folsom, CA 95763

Dated: September 21, 2010

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk